

Application Serial No. 09/684,152
Amendment and Response with Request for Continued Examination

RESPONSE AND REMARKS

Original Claims 21-24, 36, and 37 were previously withdrawn without prejudice. Claims 1-4 and Claim 25 were previously cancelled. Claims 28 and 29 are cancelled herewith. Claims 13-14, 38-41, 43, 45-47, and 49-55 remain in the application as previously presented. Amendments to Claims 5-12, 15-21, 26-27, 30-35, 42, 44, and 48 are filed concurrently herewith to more distinctly claim the invention. Entry of the amendments, and reconsideration of the application, as amended, are respectfully requested.

SPECIFICATION

Further Amendments to the specification are submitted herewith to make minor corrections to the specification, such as indicating reference numbers present in the drawings, and other minor corrections. No new matter has been added.

The present application is not a published application. An effort has been made to number the paragraphs in a manner consistent with the guidelines of the Patent Office. However, it is possible that the numbering of paragraphs indicated in the amendments to the specification may vary slightly from the paragraph numbering that would be applied by the Patent Office. Therefore, in the event that the numbering of paragraphs indicated in the amendments to the specification varies slightly from the paragraph numbering that would be applied by the Patent Office, page and line numbers to the specification are provided for each specification amendment with reference to the original application as filed.

SECTION 112

In the Final Office Action, the Examiner rejected Claims 42 and 48 as being indefinite under 35 U.S.C. §112 on the grounds that the phrase "wherein said test image information corresponds to whether said test image was displayed on a predetermined number of lines on said device" is indefinite. Final Office Action, page 2, topic number 4.

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Claims 42 and 48 have been amended to resolve the Examiner's rejection of those Claims under Section 112.

CLAIM REJECTIONS UNDER SECTION 103(a)

In the Final Office Action, the Examiner rejected Claims 5-20, 26-35, and 38-55 under Section 103(a) as being unpatentable over Kara (U.S. Patent No. 6,233,568; "Kara") in view of Martin et al. (U.S. Patent No. 6,078,936; "Martin").

In rejecting the Claims under Section 103(a), the Examiner cited Martin (the abstract of Martin, and Martin, Col. 9, lines 43-55; Col. 10, lines 16-23, and Col. 14, lines 11-21) stating that "Martin discloses the use of a display with a resolution to display images being dimensionally accurate, and to display the image as it would appear on an output device such as a printer . . ." Final Office Action, page 3, topic number 8.

It is respectfully submitted that, for the reasons given below, Martin and Kara combined do not disclose or suggest the amended claims of the present application.

First, it is respectfully submitted that the problem that Martin attempts to solve is different than the problem addressed by the subject matter of amended Claims of the present application. Martin discloses:

...a group of techniques that alleviate the problem of visualizing how a specific device operating in a particular way would present an image. The techniques employ a display with sufficient resolution to present images as they would appear when presented on another type of image output devices. Each technique uses data defining a starting image to obtain data defining a version of the starting image that can be presented on the display to show the starting image as it would appear when presented by an image output device of another type. Each technique provides the data defining the version to the display so that the display presents the version of the starting image, showing the starting image as it would appear when presented by an image output device of the other type.

Martin, col. 2, lines 42-55.

As compared to the problem that Martin is trying to solve, the amended Claims of the present application are directed to determining graphic resolution characteristics for printing on remote printing devices so that graphic

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symbologies, such as barcodes, can be dimensionally accurately printed on the remote printing devices. The Specification of the present application describes a problem with respect to a computer system that each user accesses using "computer software installed on the remote user client computer device [that] is adapted to retrieve and render hyper-media content from one or more server computers available over the communications network" (see, e.g., Claims 5, 6, 11, 15, 16, 26, 30, and 31)), or "browser software" (see, e.g., Claims 7, 8, 10, 17, 18, 20, 32, 33, and 35) to access the computer system.

The problem is described in the Specification of the present application, in part, as follows:

Some shipping systems have in the past supported specialized thermal shipping label printers with which bar-coded shipping labels could be printed. Such thermal shipping label printers are single purpose printers, and require special shipping labels and in some cases, special ink. Many computer users use laser printers. Computer users who are not frequent shippers are not necessarily willing to purchase a space-taking single-purpose thermal shipping label printer with which to print shipping labels. However, laser printers vary in terms of graphic resolution – in part due to various user-selected settings. Therefore, in the past, trying to print a shipping label on a laser printer yielded unpredictable results such as sometimes printing dimensionally inaccurate bar-coded shipping labels. Accordingly, some way is needed so that Shippers with laser printers can print dimensionally accurate bar-coded shipping labels using a laser printer.

Specification, page 2, lines 19-29.

In view of the problem described in the Specification, using an embodiment of the invention described in the present application, the Specification further explains that:

... the Shipper can use the System to locally print on the Shipper's printer device a bar-coded shipping label according the Selected Carrier's certification standards. In some embodiments, the bar-coded shipping label, including two dimensional bar code labels, and other types of shipping labels, can be printed on either a thermal label printer or on a laser printer. The Shipper specifies the type of printer to the system during initial setup procedures. Thereafter, the System uses, as appropriate, the thermal printer or laser printer module to prepare the label image for printing on the Shipper's printer.

Specification, page 73, lines 13-20.

Further, the context of the problem that Martin addresses is different than the context of the problem addressed by the Claims of the present application.

Martin discloses a computer system that has direct communication *for output* with peripheral display and printing devices. For example, with reference to FIG. 11 of Martin, Martin discloses a processor 186 with image input circuitry 182 that can receive image *input* from various sources, including, among others, a network 216 (Martin, col. 14, line 34 (emphasis added)). According to Martin, processor 186 can be *connected* for providing *output* images to one of several output devices (Martin, col. 14, lines 5-20 (emphasis added)).

As compared to local output peripheral devices as described in Martin, the Specification of the present application describes the context of a problem of dealing with a plurality of remote printer devices, where each remote printer device is configured with a respective remote client computer, where each remote client computer accesses the subject system via computer software installed on the client computer, and where the computer software installed on the remote client computer is adapted to retrieve and render hyper-media content from one or more server computers available over the communications network (e.g., a web browser).

Specifically, the Specification explains that a system that is accessed by such software as a web browser, must obtain information, such as image resolution characteristics, about the hardware that is being used to access it, so that printing can be dimensionally accurate. See, e.g., Specification, pages 74-76. More specifically, with reference to FIG. 54 of the present application, the Specification explains that:

... one embodiment ... provides printing of bar-coded shipping labels on printer devices which are compatible with the client system on which the web browser is running, such as an HP-compatible laser printer. As depicted in FIG. 54, one of the NOC Servers, for instance, the Shipping Server, e.g., 21t as depicted in FIG. 7, gets the Label Size from the Carrier Label Specification 1250, the Label Layout from the Carrier Label Specification 1251, Label Data from the Shipper Database 1252, and the Label Quality in Dots Per Inch ("DPI") as set by the Server 1253, and uses this information to Generate the Label 1254.

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Specification, page 73, lines 23-28.

As distinguished from the cited references, Claims 5, 15, and 30, for example, are directed to "generat[ing] an electronic representation of a shipping label ... wherein said electronic representation of the shipping label is generated according to a set of graphic resolution characteristics corresponding to a display device that is remote to the computer system ...".

As similarly distinguished from the cited references, Claims 6, 16, and 31 are directed to "creat[ing] a shipping label image ... wherein said shipping label image is created according to a set of graphic resolution characteristics corresponding to a display device that is remote to the computer system ...".

As similarly distinguished from the cited references, Claims 8, 18, and 33 are directed to "generat[ing] a shipping label ... wherein said shipping label is generated for dimensionally accurate printing on a printing device that is configured for communication with a respective remote client computer device used by the particular user ...".

Still further, it is respectfully submitted that the way in which Martin addresses solving the problem that Martin is directed to solving, is different than the subject matter of the Claims of the present application. Martin "provides the data defining the version to the display so that the display presents the version of the starting image, showing the starting image as it would appear when presented by an image output device of the other type." Martin, col. 2, lines 42-55. Martin does not disclose sending a test image to a remote computer for display on a remote display device associated with the remote computer in order to determine a pattern of display of the test image and to subsequently determine graphic resolution characteristics of the remote display device. See, e.g., Claims 7, 17 and 32.

As opposed to displaying an image as it would appear on a peripheral output device as cited by the Examiner as disclosed in Martin, the Claims (e.g., Claims 7, 17, and 32) of the present application are directed to displaying a test image (e.g., text) on a remote display device. See, e.g., Specification, page 74,

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lines 1-3. The pattern in which the test image is displayed will depend on graphic resolution characteristics of the display device on which the test image is displayed. For an embodiment described in the Specification, it is explained in the Specification that:

If the client browser is using a 096 display device DPI, the display device will display said text string in the HTML table data cell in a single line. If on the other hand, the client browser is using a 120 display device DPI, the display device will display said text string in the HTML table data cell in two lines.

Specification, page 74, lines 3-6.

An embodiment described in the Specification receives a user input of an indication of the pattern of the displayed test image:

In creating the display of the text string, the Server also sends a message to the Shipper asking the Shipper to answer the following question: do you see the text string displayed on your screen as a single line or as wrapped text in multiple lines? The Server receives the Shipper's response and determines from the response whether the Shipper's display device has displayed the text as a single line or as wrapped text in multiple lines 1256. If the text is displayed as a single line, then the client browser 1258 display device DPI is 96. Otherwise, the client browser 1257 display device DPI is 120.

Specification, page 74, lines 7-13 (as previously amended).

The Specification further explains an exemplary process for determining the size of the label to be printed. See, e.g., Specification, page 74, lines 14-21.

As distinguished from the cited references, Claims 10, 20, and 35 are directed to "graphically siz[ing] a shipping label symbology ... according to at least one image resolution characteristic of a remote display device configured with the particular respective remote client computer, wherein the at least one image resolution characteristic is determined according to an indication input by a user of the particular respective remote client computer of a pattern of display of a test image transmitted to the particular respective remote user client computer by the computer system, wherein said pattern of display of the test image is determined according to browser software installed on the particular remote user client computer device, and wherein the browser software is

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adapted to retrieve and render hyper-media content from one or more server computers available over the communications network."

In view of the problem described in the Specification, and as distinguished from the cited references, amended independent Claims 11, and 26, for example, (on which Claims 13 and 27 depend), are directed to ". . .determining a set of graphic resolution characteristics of a display device that is configured with the particular remote user client computer device . . . wherein the set of graphic resolution characteristics of the display device is determined according to an indication input by the particular user of a pattern of display of a test image transmitted to the particular remote user client computer device by the computer system, wherein said pattern of display of the test image is made via computer software installed on the particular remote user client computer device . . .".

Amended Claims 7, 17, and 32, are similarly distinguishable from the cited references, because there are directed to "receiv[ing] a test image pattern indication input by the particular respective user via the particular respective remote client computer, wherein said test image indication corresponds to at least one of: a first display patter of the test image, or a second display pattern of the test image [, and]. . . determin[ing] a set of graphic resolution characteristics corresponding to [a] display device [configured for communication with the particular respective remote client computer] according to [a] test image pattern indication . . .".

Similarly, in view of the problem described in the Specification, and as distinguished from the cited references, independent Claim 38 is directed, for example, to ". . . identifying a set of graphic resolution characteristics of a *display device associated with said [geographically remote] client computer*. . . .".

Further, in view of the problem described in the Specification, and as distinguished from the cited references, independent Claim 44 is directed, for example, to ". . . using [] graphic resolution data [indicating one or more graphic resolution characteristics of a displayed version of a test image as displayed on a display device associated with a client computer] to determine a particular

remote image resolution for printing said particular image on a printer associated with said client computer. . .".

For the foregoing reasons, it is respectfully submitted that Kara, and Martin combined do not disclose, anticipate, or suggest the subject matter of the amended Claims of the present application.

CONCLUSION

For all of the foregoing reasons and authorities, it is therefore respectfully submitted that the amended independent Claims of the present application, and therefore the claims that are dependent on them, are patentable over the cited references.

In view of the foregoing amendments, and for the foregoing reasons, Applicant respectfully submits that the invention disclosed and claimed in the present application as amended is not fairly taught by any of the references of record, taken either alone or in combination and that the application is in condition for allowance. Accordingly, Applicant respectfully requests reconsideration and allowance of the application.

Respectfully submitted,

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